

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In the matter of:
National Realty Investment Advisors LLC

Debtor

AIRN LIQUIDATION TRUST CO., LLC

Plaintiff,

v.

KROVATIN NAU, LLC

Defendant.

Chapter 11

Case No. 22-14539-JKS

Adversary No. 24-01454-JKS

**ANSWER OF
KROVATIN NAU LLC**

Defendant **KROVATIN NAU LLC**, by their attorneys Krovatin Nau LLC, answers the Complaint in the above-captioned matter as follows:

NATURE OF THE COMPLAINT

1. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 1.

2. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 2.

3. Defendant denies the allegations set forth in paragraph 3.

JURISDICTION AND VENUE

4. The averment contained in paragraph 4 is a legal conclusion and does not require a response.

5. The averment contained in paragraph 5 is a legal conclusion and does not require a response.

6. The averment contained in paragraph 6 is a legal conclusion and does not require a response.

7. The averment contained in paragraph 7 is a legal conclusion and does not require a response.

8. The averment contained in paragraph 8 is a legal conclusion and does not require a response.

9. The averment contained in paragraph 9 is a legal conclusion and does not require a response.

BASIS FOR RELIEF REQUESTED

10. The averment contained in paragraph 10 is a legal conclusion and does not require a response.

PARTIES

11. On information and belief, Defendant admits the allegations set forth in paragraph 11.

12. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 12.

13. Defendant admits the allegations contained in paragraph 13.

BACKGROUND AND FACTS

14. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 14.

15. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 15.

16. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 16.

17. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 17.

18. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 18.

19. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 19.

20. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 20.

21. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 21.

22. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 22.

23. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 23.

24. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 24.

25. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 25, except to deny that Defendant received fees in furtherance of fraud.

26. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 26, except to deny that Defendant received fees in furtherance of fraud.

27. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 27.

28. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 28.

29. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 29.

30. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 30; except, to the extent that the allegations contained in paragraph 30 summarize the referenced document ,that document speaks for itself, therefore to the extent that the allegations are inconsistent with the document, denied.

COUNT ONE

31. Defendant repeats and makes a part hereof its responses to the allegations contained in paragraphs 1 through 30.

32. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 32; except, to the extent that the allegations contained in paragraph 32 summarize the referenced document, that document speaks for itself, therefore to the extent that the allegations are inconsistent with the document, denied. Defendant further denies the legal conclusion regarding standing.

33. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 33.

34. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 34.

35. Defendant denies the allegations set forth in paragraph 35.

36. Defendant denies the allegations set forth in paragraph 36.

37. Defendant denies the allegations set forth in paragraph 37.

38. The averment contained in paragraph 38 is a legal conclusion and does not require a response.

39. The averment contained in paragraph 39 is a legal conclusion and does not require a response.

40. Defendant denies the allegations set forth in paragraph 40.

COUNT TWO

41. Defendant repeats and makes a part hereof its responses to the allegations contained in paragraphs 1 through 40.

42. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 42; except, to the extent that the allegations contained in paragraph 42 summarize the referenced document, that document speaks for itself, therefore to the extent that the allegations are inconsistent with the document, denied. Defendant further denies the legal conclusion regarding standing.

43. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 43.

44. Defendant denies the allegations set forth in paragraph 44.

45. Defendant denies the allegations set forth in paragraph 45.

46. Defendant denies the allegations set forth in paragraph 46.

47. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 47.

48. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 48.

49. Defendant denies the allegations set forth in paragraph 49.

COUNT THREE

50. Defendant repeats and makes a part hereof its responses to the allegations contained in paragraphs 1 through 49.

51. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 51; except, to the extent that the allegations contained in paragraph 51 summarize the referenced document, that document speaks for itself, therefore to the extent that the allegations are inconsistent with the document, denied. Defendant further denies the legal conclusion regarding standing.

52. Defendant denies the allegations set forth in paragraph 52

53. Defendant denies the allegations set forth in paragraph 53.

54. Defendant denies the allegations set forth in paragraph 54.

55. Defendant denies the allegations set forth in paragraph 55.

WHEREFORE, Defendant Krovatin Nau LLC demands judgment in its favor and against Plaintiff dismissing the Complaint in its entirety with prejudice, and an award of legal fees and costs and such other and further relief as the Court may deem just.

AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE

The Complaint fails to state a cause of action upon which relief can be granted.

SECOND AFFIRMATIVE DEFENSE

Any loss sustained was directly and proximately caused by Plaintiff's own actions or inactions, or that of some other party or third-party, over whom Defendant exercised no control.

THIRD AFFIRMATIVE DEFENSE

Plaintiff's claim is barred by res judicata and/or collateral estoppel, or other claim preclusion doctrines.

FOURTH AFFIRMATIVE DEFENSE

The relief sought is barred because the alleged conduct was not the actual or proximate cause of an injury, loss, or damage.

FIFTH AFFIRMATIVE DEFENSE

Plaintiff failed to mitigate their damages, if any, resulting from the alleged conduct of Defendants.

SIXTH AFFIRMATIVE DEFENSE

Plaintiff's claim is barred by the doctrine of waiver.

EIGHTH AFFIRMATIVE DEFENSE

Plaintiff's claim is barred by the doctrine of unclean hands.

NINTH AFFIRMATIVE DEFENSE

Plaintiff's claim is barred by the doctrine of laches.

TENTH AFFIRMATIVE DEFENSE

All of the acts by Defendants were performed in good faith.

ELEVENTH AFFIRMATIVE DEFENSE

Defendant reserves its right to assert and rely upon such further and additional affirmative defenses as may be supported by facts determined through discovery and to amend this Answer to assert any such affirmative defenses.

Respectfully submitted,

KROVATIN NAU LLC
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(973) 424-9777
Attorneys for Krovatin Nau LLC pro se

/s/ Gerald Krovatin

Dated: July 10, 2024